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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,704	12/29/2000	Kazuyuki Nako	55220(868)	5585
21874	7590	06/16/2004	EXAMINER	
EDWARDS & ANGELL, LLP			WU, JINGGE	
P.O. BOX 55874			ART UNIT	
BOSTON, MA 02205			PAPER NUMBER	

2623
DATE MAILED: 06/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/720,704

Applicant(s)

NAKO, KAZUYUKI

Examiner

Jingge Wu

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 14-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1 and 11-13 is/are rejected.
- 7) ☐ Claim(s) 2-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3.4.7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 10 and 14-16 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 10 depends on claim 9 that depends on claims 7 to 8. See MPEP § 608.01(n). Accordingly, the claims 10 and 14-16 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5808756 to Matsuda.

As to claim 1, Matsuda discloses an image correction apparatus comprises:

storage means (fig. 9, 104 and 105);

central processing means (fig. 9, 101);

image input means (fig. 9, 31, 35, 53, and 103),

side sloping image correction means (fig. 9, 103) for correcting an image of a document whose top and bottom sides make a slope with respect to a document platen (fig. 2a-2b and fig. 10, col. 5 line 17-col. 6 line 36 and col. 10 line 41-col. 11 line 39) .

As to claim 11, Matsuda further discloses that a luminance correction parameter computing means (fig. 9, 103) obtains the background luminance of the correction target pixel (LB) on the basis a dividing ratio of an image luminance near the upper and lower end points of the straight line (line sensor feed in) which are used to approximate the document surface (fig. 3a), and take the ratio of a target luminance to the background luminance as a luminance correction parameter (col. 11 lines 9-39, note the correction coefficient is the correction parameter).

As to claims 12, Matsuda further discloses the side image sloping correction means converts a pixel value near the binding position to blank space (col. 11 lines 13-16, note that LB of pixel near the bind position is low so that Dd is below DB), and outputs a converted pixel value to the image output means (fig. 9, 103 to external device).

As to claim 13, Matsuda further discloses the side image sloping correction means converts a pixel value near the binding position to a pixel value at a position distanced from the binding position (col. 11 line 16-28, note that if the pixel is character pixel that LB is high, thus Dd is higher than DB), outputs the converted pixel value to the image output (fig. 9 103 and external device).

Allowable Subject Matter

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3-9 depend from claim 2 are, therefore, objected.

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

Jingge Wu

Primary Patent Examiner

